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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,773	12/03/2003	Frank Braymand	1001-099	4207
25215	7590	03/08/2005	EXAMINER	
DOBRUSIN & THENNISCH PC 29 W LAWRENCE ST SUITE 210 PONTIAC, MI 48342			BUTLER, DOUGLAS C	
			ART UNIT	PAPER NUMBER
			3683	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,773

Applicant(s)

BRAYMAND, FRANK

Examiner

Douglas C. Butler

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 5-21 are pending with claims 2-4 having been canceled.
2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 5-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 1, 5-15: There are no clear antecedent bases in the claims for "the extremities of the reducing arms" of claim 1, line 6; "the extremities of the arms" of claim 1, line 7; "the inner surface of the hollow member" of claim, line 7 [Note that claim 1, line 4 recites "an internal surface" as opposed to an "inner surface".]; "the anticorrosion fluid" of claim 5, line 3; "the external member" of claim 5, line 3 [Note that claim 1, line 2 recites "an outer hollow member" as opposed to "an external member"]; "the external hollow member" of claim 7, lines 1-2; "the external hollow member" of lines 1-2 of each of claims 7-9; "the foamable material" of claim 12, lines 1-2.

Re claims 16-21: There are no clear antecedent bases in the claims for "the internal surface of the outer hollow member" of claim 16, line 5; "their extremities" of claim 16, line 7; "the inner surface of the hollow external member" of claim 16, lines 7-8; "the hollow external member" of claim 16, lines 7-8 [Note that claim 16, line 2 recites "an outer hollow member" as opposed to "a hollow external member".]; "it" of claim 16, line 10; "the vehicle frame" of claim 16, line 11; "the e coat over" of claim 16, line 11; "the external hollow member" of claim 16, line 12, claim 17, lines 1-2; "the inner member" of

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claim 16, line 14; "the internal surface of the external member" of claim 16, lines 16-17; "the external member" of claim 16, lines 16-17, claim 16, line 18; "the entire internal surface of the external member" of claim 16, lines 17-18 [How is the "internal surface" of the outer hollow member distinguished from the entire "internal surface"?]; "the extremity" of claim 19, line 2; etc.

Applicant should carefully review the claims amending where necessary in order to meet the exacting requirements of 35 USC 112, second paragraph.

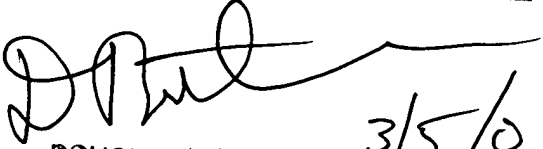
4. Claims 1 and 5-21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

5. Claim 21, line 3 "hollow outer member" should be changed to "outer hollow member" to conform to the recitation in parent claim 16, line 2 of "an outer hollow member".

6. Applicant's arguments have been considered.

7. The submitted IDS has been considered.

8. Any inquiry concerning this communication should be directed to Exmr Butler at telephone number 703-308-2575.


DOUGLAS C. BUTLER
PRIMARY EXAMINER
3/5/05
AU 3683

Butler/vs
March 3, 2005